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9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 JESSICA YOUNGER, individually, on
13 behalf of all similarly situated, and on behalf
14 of the general public of California,

15 Plaintiff,

16 vs.

17 RYZE INC., a Massachusetts corporation,
18 erroneously sued as Ryze Superfoods LLC,

19 Defendant.

20 CASE NO.: 2:24-CV -00868-HDV-JDE

21 *Removed from the Superior Court of
22 California, Los Angeles County, Case No.
23 2023STCV27561*

24 **NOTICE OF VOLUNTARY
25 DISMISSAL PURSUANT TO RULE 41**

1 Plaintiff respectfully provides notice of voluntary dismissal of this action pursuant
2 to Fed. R. Civ. P. 41(a)(1)(A)(i). The defendant has not served “either an answer or a
3 motion for summary judgment,” so this action may be dismissed “without a court order”.
4 Fed.R.Civ.P. 41(a)(1)(A)-(B); *see also Com. Space Mgmt. Co. v. Boeing Co.*, 193 F.3d
5 1074, 1078 (9th Cir. 1999) (observing that “dismissal under Rule 41(a)(1) is effective on
6 filing, no court order is required, [and] the parties are left as though no action had been
7 brought”).

8 Further, because “no class has been certified and the matter is being dismissed as
9 to all parties without prejudice . . . dismissal does not require court approval under Rule
10 23(e).” *Valenzuela v. Mauser USA, LLC*, No. 120CV00094NONESAB, 2021 WL
11 916412, at *1 (E.D. Cal. Mar. 10, 2021); *see also Hall v. W. Ref. Retail, LLC*, No.
12 519CV00855VAPSKX, 2021 WL 4497925, at *1 n.1 (C.D. Cal. June 23, 2021)
13 (collecting cases).

14 Plaintiff therefore provides notice of voluntary dismissal of this action.
15

16 Respectfully submitted,
17
ZIMMERMAN REED LLP

18 Dated: February 8, 2024. By: /s/ Y. Christopher Nagakawa
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